

## **Exhibit G**

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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

In re	)	Case No. 05 CV 01114 JW
	)	
ACACIA MEDIA TECHNOLOGIES	)	<b>PLAINTIFF ACACIA MEDIA</b>
CORPORATION	)	<b>TECHNOLOGIES</b>
	)	<b>CORPORATION'S DISCLOSURE</b>
	)	<b>OF ASSERTED CLAIMS AND</b>
	)	<b>PRELIMINARY INFRINGEMENT</b>
	)	<b>CONTENTIONS TO TIME</b>
	)	<b>WARNER CABLE, INC.</b>
	)	
	)	[Patent Local Rule 3-1]
	)	
	)	

Pursuant to Patent L.R. 3-1, Plaintiff Acacia Media Technologies Corporation (“Acacia”) hereby submits the following Disclosure of Asserted Claims and Preliminary Infringement Contentions re the ‘992, ‘275, ‘863, and ‘702 patents with respect to Defendant Time Warner Cable, Inc. (“Time Warner”).

In making these disclosures and preliminary infringement contentions, Acacia has not yet received any discovery from Time Warner regarding its methods and systems and the Court has not issued a claim construction ruling. Further, at least a portion of the information transmitted by Time Warner to its subscribers is encrypted. Accordingly, Acacia reserves the right to amend its disclosures and preliminary infringement contentions, including the identity of the claims being asserted, upon receiving discovery from Time Warner, receiving the Court’s claim construction ruling, and/or receiving any other relevant information.

**I. IDENTITY OF EACH CLAIM INFRINGED BY TIME WARNER (PATENT L.R.3-1(A))**

Acacia alleges that Time Warner has infringed and is infringing at least the following claims of the following patents:

<u>Patent</u>	<u>Claims Alleged Infringed</u>
U.S. Patent No. 5,132,992 (‘992 patent)	19-24, 41-49 and 51-53
U.S. Patent No. 5,253,275 (‘275 patent)	2, 5
U.S. Patent No. 5,550,863 (‘863 patent)	14-19
U.S. Patent No. 6,144,702 (‘702 patent)	1-42

**II. IDENTITY OF TIME WARNER’S ACCUSED INSTRUMENTALITIES (PATENT L.R. 3-1(B))**

Acacia believes that Time Warner provides the following systems and services to its subscribers:

1. Basic analog cable (“Basic Analog Cable”);

2. Digital cable to subscribers having set top boxes with digital video recorders (“DVR”) and to subscribers having set top boxes without digital video recorders (“Digital Cable”);

3. Video-on demand to Digital Cable subscribers having set top boxes with digital video recorders and to subscribers having set top boxes without digital video recorders (“Video-on-Demand” or “VOD”); and

4. Digital ad insertion.

Time Warner’s systems and services are described on Time Warner’s website, [www.time Warner cable.com](http://www.time Warner cable.com). Except for Basic analog services, each of the other three systems and services provided by Time Warner have multiple varieties. The following table shows in greater detail each of the Accused Instrumentalities within each category of Time Warner’s systems and services:

Time Warner Accused Instrumentality	Acacia’s Classification and Characterization of the Varieties of Each Accused Instrumentality	Identification of Accused Apparatus Which Are Believed to Be Part of the Accused Instrumentalities
<b>1. Basic Analog Cable</b>	<b>Accused Instrumentality No. 1 (analog transmission)</b> – Time Warner receives digital, compressed content at a cable head end from a content provider/content aggregator such as, for example, HBO or STARZ. The content originated from pre-recorded source material which was stored on a server in a compressed digital format (e.g., MPEG-2) before being received by Time Warner. Time Warner, without storing the content at its head end and without receiving a request from a subscriber, sends the content in an analog format to subscribers. The services offered by Time Warner that utilize Accused Instrumentality No. 1 include Broadcast Basic and Standard Basic.	Time Warner’s Basic Analog Cable is believed to operate using receiving, converting, and transmitting equipment at Time Warner cable head ends.  Time Warner receives digital compressed video information at its head ends.  Analog television signals are transmitted to each subscriber’s home using the cable network.  Analog television signals are received at each subscriber’s home using a set top box provided to the user by Time Warner or using a cable ready tuner.  Known set top boxes provided by Time Warner to its Basic Analog subscribers are not yet known to Acacia.

Time Warner Accused Instrumentality	Acacia's Classification and Characterization of the Varieties of Each Accused Instrumentality	Identification of Accused Apparatus Which Are Believed to Be Part of the Accused Instrumentalities
<p><b>2. Digital Cable</b></p>	<p><b>Accused Instrumentality No. 2(a) (digital transmission of prerecorded source material which is not stored at the head end, but without the use of a DVR by the subscriber)</b> – Time Warner receives digital, compressed content at a cable head end from a content provider/content aggregator such as, for example, HBO, STARZ or NBC. The content originated from pre-recorded source material (e.g., in a source material library) which was later stored on a server in a compressed digital format (e.g., MPEG-2) before being received by Time Warner. Time Warner, without storing content at its head end, sends the content in a compressed, digital format (e.g., MPEG-2) to subscribers having a digital set top box without a DVR. The services offered by Time Warner that utilize Accused Instrumentality No. 2(a) include Digital Miscellaneous, Digital Variety 1, Digital Variety 2, Digital Movies, Digital Sports, Premium Services, Digital Broadcast, Digital Basico, Digital Espanol, HDTV, International, Premium in Espanol, and Pay-Per-View.</p> <p><b>Accused Instrumentality No. 2(b) (digital transmission of prerecorded source material which is not stored at the head end and with the use of a DVR by the subscriber)</b> – Time Warner receives digital, compressed content at a cable head end from a content provider/content aggregator such as, for example, HBO, STARZ or NBC. The content originated from pre-recorded source material (e.g., in a source material library) which was later stored on a server in a compressed digital format (e.g., MPEG-2) before being received by Time Warner. Time Warner, without storing content at its head end, sends the content in a compressed, digital format (e.g., MPEG-2) to subscribers having a digital set top box with a DVR. The services offered by Time Warner that utilize Accused Instrumentality No. 2(b) include Digital Miscellaneous, Digital Variety 1, Digital Variety 2, Digital Movies, Digital Sports, Premium Services, Digital Broadcast, Digital Basico, Digital Espanol, HDTV, International, Premium in Espanol, and Pay-Per-View.</p> <p><b>Accused Instrumentality No. 2(c) (digital transmission of live source material which is not stored at the head end and with the use of a DVR by the subscriber)</b> – Time Warner receives digital, compressed content at a cable head end from a content provider/content aggregator such as,</p>	<p>Time Warner's Digital Cable is believed to operate using receiving, storage, and transmitting equipment at Time Warner cable head ends.</p> <p>For storage, it is known that STARZ, acting on Time Warner's behalf utilizes Pinnacle Systems video servers for its compressed data library.</p> <p>Digital television signals are transmitted to each subscriber's home using a cable network which may include coaxial cable, optical fiber, or a combination of both.</p> <p>Digital television signals are received at each subscriber's home using a set top box provided to the user by Time Warner.</p> <p>Known set top boxes provided by Time Warner to its Digital Cable subscribers are believed to be the Scientific Atlanta Explorer Home Media Explorer, SA-3100HD, and SA-3250HD, Pioneer Passport, Pioneer Passport-DCT, Motorola, and Pace. Others, not yet known by Acacia, may exist during the relevant time period.</p> <p>Time Warner may also provide its digital subscribers with a set top box which includes a DVR for digitally storing a complete copy of received video programs. The identity of the set top boxes provided by Time Warner to subscribers with DVR are not yet known to Acacia. Other DVRs, not provided by Time Warner, are known, such as those sold by TiVo and others.</p>

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	for example, HBO, STARZ or NBC. The content had been stored in a compressed digital format (e.g., MPEG-2) prior to being received by Time Warner, but had not necessarily been stored in a source material library. Time Warner, without storing the content at its head end, sends the content in a compressed, digital format (e.g., MPEG-2) to subscribers having a digital set top box with a DVR. The services offered by Time Warner that utilize Accused Instrumentality No. 2(c) include Digital Miscellaneous, Digital Variety 1, Digital Variety 2, Digital Movies, Digital Sports, Premium Services, Digital Broadcast, Digital Basico, Digital Espanol, HDTV, International, Premium in Espanol, and Pay-Per-View.	
<b>3. Video-on-Demand</b>	<p><b>Accused Instrumentality No. 3(a) (digital transmission of prerecorded source material which is stored at the head end and which is sent upon receiving a request from a user, but without the use of a DVR by the subscriber) –</b> Time Warner receives digital, compressed content at a cable head end from a content provider/content aggregator such as, for example, InDemand and/or TVN. The content originated from pre-recorded source material (e.g., in a source material library) which then was stored on a server in a compressed digital format (e.g., MPEG-2) before being received by Time Warner. Time Warner stores the digital, compressed content at its head end and, after receiving a request from a subscriber, sends the content in a compressed, digital format (e.g., MPEG-2) to subscribers having a digital set top box without a DVR. The services offered by Time Warner that utilize Accused Instrumentality No. 3(a) include Movies on Demand, Premiums on Demand, and Free on Demand.</p> <p><b>Accused Instrumentality No. 3(b) (digital transmission of prerecorded source material which is stored at the head end and which is sent upon receiving a request from a user and with the use of a DVR by the subscriber) –</b> Time Warner receives digital, compressed content at a cable head end from a content provider/content aggregator such as, for example, InDemand and/or TVN. The content originated from pre-recorded source material (e.g., in a source material library) which was stored on a server in a compressed digital format (e.g., MPEG-2) before being received by Time Warner. Time Warner stores the digital, compressed content at its head end and,</p>	<p>Time Warner's Digital Cable is believed to operate using receiving, storage, and transmitting equipment at Time Warner cable head ends.</p> <p>For storage, Time Warner, at certain head ends, utilizes C-Cor or Concurrent video servers to store its video on demand content. STARZ, acting on Time Warner's behalf utilizes Pinnacle Systems video servers for its compressed data library.</p> <p>Digital television signals are transmitted to each subscriber's home using a cable network which may include coaxial cable, optical fiber, or a combination of both.</p> <p>Digital television signals are received at each subscriber's home using a set top box provided to the user by Time Warner.</p> <p>Known set top boxes provided by Time Warner to its Digital Cable subscribers are believed to be the Scientific Atlanta Explorer Home Media Explorer, SA-3100HD, and SA-3250HD, Pioneer Passport, Pioneer Passport-DCT, Motorola, and Pace. Others, not yet known by Acacia, may exist during the relevant time period.</p> <p>Time Warner may also provide its</p>

Time Warner Accused Instrumentality	Acacia's Classification and Characterization of the Varieties of Each Accused Instrumentality	Identification of Accused Apparatus Which Are Believed to Be Part of the Accused Instrumentalities
	<p>after receiving a request from a subscriber, sends the content in a compressed, digital format (e.g., MPEG-2) to subscribers having a digital set top box with a DVR. The services offered by Time Warner that utilize Accused Instrumentality No. 3(b) include Movies on Demand, Premiums on Demand, and Free on Demand..</p> <p><b>Accused Instrumentality No. 3(c) (digital transmission of live source material which is stored at the head end and which is sent upon receiving a request from a user, but without the use of a DVR by the subscriber)</b>– Time Warner receives digital, compressed content at a cable head end from a content provider/content aggregator such as, for example, InDemand and/or TVN. The content had been stored in a compressed digital format (e.g., MPEG-2) prior to being received by Time Warner, but had not necessarily been stored in a source material library. Time Warner stores the digital, compressed content at its head end and, after receiving a request from a subscriber, sends the content in a compressed, digital format (e.g., MPEG-2) to subscribers having a digital set top box without a DVR. The services offered by Time Warner that utilize Accused Instrumentality No. 3(c) include Movies on Demand, Premiums on Demand, and Free on Demand..</p> <p><b>Accused Instrumentality No. 3(d) (digital transmission of live source material which is stored at the head end and which is sent upon receiving a request from a user, but without the use of a DVR by the subscriber)</b>– Time Warner receives digital, compressed content at a cable head end from a content provider/content aggregator such as, for example, InDemand and/or TVN. The content had been stored in a compressed digital format (e.g., MPEG-2) prior to being received by Time Warner, but had not necessarily been stored in a source material library. Time Warner stores the digital, compressed content at its head end and, after receiving a request from a subscriber, sends the content in a compressed, digital format (e.g., MPEG-2) to subscribers having a digital set top box with a DVR. The services offered by Time Warner that utilize Accused Instrumentality No. 3(d) include Movies on Demand, Premiums on Demand, and Free on Demand..</p>	<p>digital subscribers with a set top box which includes a DVR for digitally storing a complete copy of received video programs. The identity of the set top boxes provided by Time Warner to subscribers with DVR are not yet known to Acacia. Other DVRs, not provided by Time Warner, are known, such as those sold by TiVo and others.</p> <p>Time Warner's North American VOD deployments, including the identity of locations, content aggregators, and video servers are listed in a chart published in CED Magazine, most recently in April 2005.</p>
<b>4. Digital Ad</b>	<b>Accused Instrumentality No. 4(a) (digital transmission of prerecorded source material</b>	Time Warner's Digital Ad Insertion is believed to operate using receiving,

Time Warner Accused Instrumentality	Acacia's Classification and Characterization of the Varieties of Each Accused Instrumentality	Identification of Accused Apparatus Which Are Believed to Be Part of the Accused Instrumentalities
<b>Insertion</b>	<p><b>which is stored at the head end, but without the use of a DVR by a user)</b> – Time Warner receives digital, compressed advertising content at a cable head end from a content provider/content aggregator such as, for example, an advertiser, an encoding company, or from Time Warner Advertising Sales. The content originated from pre-recorded source material (e.g., in a source material library) which was stored on a server in a compressed digital format (e.g., MPEG-2) before being received by Time Warner. In some instances, Time Warner may create, compress, and store the video information prior to transmission. Time Warner stores the content at its head end and inserts the digital advertising into programming, which Time Warner sends in a compressed, digital format (e.g., MPEG-2) to subscribers having a set top box without a DVR.</p> <p><b>Accused Instrumentality No. 4(b) (digital transmission of prerecorded source material which is stored at the head end, but with the use of a DVR by a user)</b> – Time Warner receives digital, pre-recorded, compressed advertising content at a cable head end from a content provider/content aggregator such as, for example, an advertiser, an encoding company, or from Time Warner Advertising Sales. The content originated from pre-recorded source material (e.g., in a source material library) which was stored on a server in a compressed digital format (e.g., MPEG-2) before being received by Time Warner. In some instances, Time Warner may create, compress, and store the video information itself prior to transmission. Time Warner stores the content at its head end and inserts the digital advertising into programming, which Time Warner sends in a compressed, digital format (e.g., MPEG-2) to subscribers having a set top box with a DVR.</p> <p><b>Accused Instrumentality No. 4(c) (analog transmission of prerecorded digital, compressed source material which is stored at the head end)</b> – Time Warner receives digital, compressed advertising content at a cable head end from a content provider/content aggregator such as, for example, an advertiser, an encoding company, or from Time Warner Advertising Sales. The content originated from pre-recorded source material (e.g., in a source material library) which was stored on a server in a compressed digital format (e.g., MPEG-2) before being received by Time Warner. In some</p>	<p>storage, and transmitting equipment at Time Warner cable head ends. It is also believed that Time Warner may create its own digital advertising content, which Time Warner also stores at its head ends or at some central facility.</p> <p>Time Warner is listed as a customer of SeaChange International, Inc. for Spot Ad Insertion Systems (see, <a href="http://www.schange.com/Customers/Customers_main.asp#Broadband">http://www.schange.com/Customers/Customers_main.asp#Broadband</a>). The equipment and operation of the SeaChange Spot Ad Insertion System is shown and described in the brochure available at <a href="http://www.schange.com/Downloads/Ad_Insertion/Spot%20Brochure.pdf">http://www.schange.com/Downloads/Ad_Insertion/Spot%20Brochure.pdf</a>.</p> <p>Time Warner is also listed by C-Cor, Inc. as a customer of C-Cor's for its Digital Ad Insertion Systems, as described in the brochure that is available at <a href="http://www.c-cor.com/solutions/content_management/files/DPISEAM-S-0305.pdf">http://www.c-cor.com/solutions/content_management/files/DPISEAM-S-0305.pdf</a>.</p> <p>Digital television signals are transmitted to each subscriber's home using a cable network which may include coaxial cable, optical fiber, or a combination of both.</p> <p>Digital television signals are received at each subscriber's home using a set top box provided to the user by Time Warner.</p> <p>Known set top boxes provided by Time Warner to its Digital Cable subscribers are believed to be the Scientific Atlanta Explorer Home Media Explorer, SA-3100HD, and SA-3250HD, Pioneer Passport, Pioneer Passport-DCT, Motorola, and Pace. Others, not yet known by Acacia, may exist during the relevant time period.</p> <p>Time Warner also provides some of its digital subscribers with a set top box which includes a DVR for</p>



<b>Time Warner Accused Instrumentality</b>	<b>Acacia's Classification and Characterization of the Varieties of Each Accused Instrumentality</b>	<b>Identification of Accused Apparatus Which Are Believed to Be Part of the Accused Instrumentalities</b>
	instances, Time Warner may create, compress, and store the video information prior to transmission. Time Warner stores the content at its head end and inserts the digital advertising into programming, which Time Warner sends in an analog format to subscribers having an analog set top box or a cable ready tuner.	digitally storing a complete copy of received video programs. The identity of the set top boxes provided by Time Warner to subscribers with DVR are not yet known to Acacia. Other DVRs, not provided by Time Warner, are known, such as those sold by TiVo and others.

Acacia believes that the following claims of each of the patents-in-suit are being infringed by each of the Accused Instrumentalities as shown below:

<b><u>Accused Instrumentality</u></b>	<b><u>Patent Claims Alleged to Be Infringed by Each Accused Instrumentality</u></b>
<b>Accused Instrumentality No. 1</b>	'992 patent, Claims 41-45.
<b>Accused Instrumentality No. 2(a)</b>	'992 patent, Claims 41-45.
<b>Accused Instrumentality No. 2(b)</b>	'992 patent, Claims 41-45, and  '702 patent, Claims 1-8, 11-19, and 22, 23, 26-34, and 37-42.
<b>Accused Instrumentality No. 2(c)</b>	'702 patent, Claims 1, 5-8, 11-16, 27, 31-34, and 37-42.
<b>Accused Instrumentality No. 3(a)</b>	'992 patent, Claims 41-46.  '863 patent, Claims 17-19.  '702 patent, Claims 1-14, 17-22, 24-39, and 41.
<b>Accused Instrumentality No. 3(b)</b>	'992 patent, Claims 19-24, 41-46, and 47-49, and 51-53.  '275 patent, Claims 2 and 5.

<u><b>Accused Instrumentality</b></u>	<u><b>Patent Claims Alleged to Be Infringed by Each Accused Instrumentality</b></u>
	'863 patent, Claims 17-19. '702 patent, Claims 1-42.
<b>Accused Instrumentality No. 3(c)</b>	'863 patent, Claims 17-19. '702 patent, Claims 1, 5-14, 27, 31-39, and 41.
<b>Accused Instrumentality No. 3(d)</b>	'992 patent, Claims 19-24 and 47-49, and 51-53. '275 patent, Claims 2 and 5. '863 patent, Claims 17-19. '702 patent, Claims 1, 5-16, 27, and 31-42.
<b>Accused Instrumentality No. 4(a)</b>	'992 patent, Claims 41-45. '863 patent, Claims 17-19.
<b>Accused Instrumentality No. 4(b)</b>	'992 patent, Claims 41-45. '863 patent, Claims 17-19. '702 patent, Claims 1-8, 11-19, and 22, 23, 26-34, and 37-42.
<b>Accused Instrumentality No. 4(c)</b>	'992 patent, Claims 41-45. '863 patent, Claims 14-19.

### III. CHART IDENTIFYING WHERE EACH ELEMENT OF EACH ASSERTED CLAIM IS FOUND WITHIN EACH ACCUSED INSTRUMENTALITY (PATENT L.R. 3-1(C))

The following chart identifies where each element of each asserted claim is found within each of Time Warner's Accused Instrumentality:

**A. '992 Patent**

<b><u>'992 Patent Claim</u></b>	<b><u>Time Warner's Accused Instrumentality</u></b>
<p>19. A distribution method responsive to requests from a user identifying items in a transmission system containing information to be sent from the transmission system to receiving systems at remote locations, the method comprising the steps of:</p>	<p>Acacia accuses Time Warner of infringing claim 19 of the '992 patent with its instrumentality no. 3(b) and 3(d).</p> <p>In instrumentality nos. 3(b) and 3(d), Time Warner head ends receive requests from Time Warner subscribers identifying video on demand (VOD) programs to be sent from the Time Warner head end to the subscribers' set top box</p> <p>The content providers' system(s) and/or Time Warner's head end(s) comprise a transmission system. The users' set top boxes comprise receiving systems at remote locations, e.g. remote from the transmission system.</p> <p>When a user operating their receiving system wishes to view a particular video offered by Time Warner, the user makes a request using their remote control or other interface with their set top box. The request is sent by the user's receiving system to the Time Warner head end. The request contains information which identifies the requested video to the transmission system. The transmission system responds to the user's request by transmitting the selected video to the user's receiving system.</p>
<p>storing, in the transmission system, information from items in a compressed data form, the information including an identification code and being placed into ordered data blocks;</p>	<p>In instrumentality nos. 3(b) and 3(d), information from items is stored in a compressed data format with an accompanying identification code. The information was placed into ordered data blocks.</p> <p>Following MPEG-2 compression, it is known that at least some of Time Warner's content providers, such as STARZ, use Pinnacle Systems video servers to store audiovisual items prior to transmission. (See, "STARZ Encore Productivity and Air Operation," <a href="http://broadcastengineering.com">broadcastengineering.com</a> and "STARZ Encore Group," <a href="http://broadcastengineering.com">broadcastengineering.com</a>). Further, CED's North American VOD deployments wallchart published in April 2005 states that Time Warner uses C-Cor, Seachange, and Concurrent video servers at its head ends.</p> <p>The video and/or audio information stored on the server is in the form of ordered video and/or audio data blocks, e.g., the data blocks were time encoded. This is evident by Time Warner's use of the MPEG-2 compression format. Time Warner transmits its digital video information to its subscribers in an MPEG-2 format, which is known by the fact that Time Warner's set top boxes operate using MPEG-2. Because the video information being transmitted by Time Warner is in an MPEG-2 format, the encoded information stored on the server is in the MPEG-2 format (e.g., audio samples and video frames have relative time markers).</p> <p>For example, in the ISO/IEC 13818-1:2000(E) (MPEG System Specification) at page 116,</p> <p>"There is a single, common system clock in the MPEG-2 encoder, and this clock is used to create timestamps that indicate the correct presentation and decoding timing of audio and video, as well as to create timestamps that indicate the instantaneous values of the system clock itself at sampled intervals. The timestamps that indicate the presentation time of audio and video are called Presentation Time Stamps (PTS). Those that indicate the decoding time are called Decoding Timestamps (DTS), and those</p>